

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

KYLON MIDDLETON; DEON TEDDER;
AMOS WELLS; CARLYLE DIXON;
TONYA WINBUSH; ERNESTINE MOORE;
SOUTH CAROLINA DEMOCRATIC
PARTY; DNC SERVICES
CORPORATION/DEMOCRATIC
NATIONAL COMMITTEE; and DCCC,

Plaintiffs,

v.

MARCI ANDINO, in her official capacity as
Executive Director of the South Carolina State
Election Commission; JOHN WELLS, in his
official capacity as Chair of the South Carolina
State Election Commission; and CLIFFORD J.
EDLER and SCOTT MOSELEY, in their
official capacities as members of the South
Carolina State Election Commission,

Defendants.

Case No. 3:20-cv-1730-JMC

**DECLARATION CHRISTOPHER J. BRYANT IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION**

I, Christopher J. Bryant, declare as follows:

I am an attorney with the law firm of Perkins Coie LLP, and am counsel for Plaintiffs in this litigation. I have personal knowledge of the matters set forth below and am competent to testify.

1. Attached as Exhibit 1 is a true and correct copy of a July 17, 2020 letter from Marci Andino to Senator Peeler and Speaker Lucas.

2. Attached as Exhibit 2 is a true and correct copy of the publication *People with Certain Medical Conditions*, CDC (July 30, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

3. Attached as Exhibit 3 is a true and correct copy of and article by Suzanne Leigh, *1 in 3 Young Adults May Face Severe COVID-19, UCSF Study Shows*, U.C.S.F. (July 12, 2020), <https://www.ucsf.edu/news/2020/07/418081/1-3-young-adults-may-face-severe-covid-19-ucsf-study-shows>.

4. Attached as Exhibit 4 is a true and correct copy of an article by Lisa Lockerd Maragakis, *Coronavirus and COVID-19: Younger Adults Are at Risk, Too*, Johns Hopkins Medicine (Apr. 9, 2020), <https://www.hopkinsmedicine.org/health/conditions-and-diseases/coronavirus/coronavirus-and-covid-19-younger-adults-are-at-risk-too>.

5. Attached as Exhibit 5 is a true and correct copy of the publication *Health Equity Considerations and Racial and Ethnic Minority Groups*, CDC (July 24, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/racial-ethnic-minorities.html>.

6. Attached as Exhibit 6 is a true and correct copy of the article *Mcmaster Hopeful Business, Activities in S.C. Can Safely Resume by Late June*, WBTV (Apr. 16, 2020), <https://www.wbvtv.com/2020/04/16/mcmaster-it-could-be-late-june-before-businesses-activities-can-safely-resume-sc/>.

7. Attached as Exhibit 7 is a true and correct copy of the news release *South Carolina Announces Latest COVID-19 Update (July 30, 2020)*, DHEC (July 30, 2020), <https://www.scdhec.gov/news-releases/south-carolina-announces-latest-covid-19-update-july-30-2020>.

8. Attached as Exhibit 8 is a true and correct copy of the news release *South Carolina Announces First Confirmed Cases of MIS-C Associated with COVID-19; Daily COVID-19 Update (July 12, 2020)*, DHEC (July 12, 2020), <https://scdhec.gov/news-releases/south-carolina-announces-first-confirmed-cases-mis-c-associated-covid-19-daily-covid>.

9. Attached as Exhibit 9 is a true and correct copy of the article by Hayley Fowler & David Travis Bland, *Coronavirus Live Updates: Here's What to Know in South Carolina on Aug. 1*, State (Aug. 1, 2020), <https://www.thestate.com/news/coronavirus/article244647062.html>.

10. Attached as Exhibit 10 is a true and correct copy of the news release *Fact Sheet: Explaining Operation Warp Speed*, HHS (June 16, 2020), <https://www.hhs.gov/about/news/2020/06/16/fact-sheet-explaining-operation-warp-speed.html>.

11. Attached as Exhibit 11 is a true and correct copy of the article by Cate Martel, *Fauci Gives His COVID-19 Vaccine Estimate*, The Hill (July 31, 2020) <https://thehill.com/homenews/1230-report/509994-the-hills-1230-report-Anthony-fauci-is-cautiously-optimistic-about-a-vaccine-by-the-end-of-the-year-how-to-sign-up-to-be-part-of-the-vaccine-clinical-trials>.

12. Attached as Exhibit 12 is a true and correct copy of a publication by the Ariz. Dep't of Health Srvs., *COVID-19 Risk Index: Know Your Risk During COVID-19*, available at), available at <https://www.azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/communication-materials/covid-19-risk-factors-index-circle-8-5x11.pdf>.

13. Attached as Exhibit 13 is a true and correct copy of the publication *Deciding to Go Out*, CDC (July 30, 2020), <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/deciding-to-go-out.html>.

14. Attached as Exhibit 14 is a true and correct copy of the publication *Considerations for Election Polling Locations and Voters*, CDC (June 22, 2020),

<https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>.

15. Attached as Exhibit 15 is a true and correct copy of the article by Emily Bohatch, *As Coronavirus Cases Skyrocket, What Can SC Do Slow the Spread? Lawmakers Are Divided*, The State (June 14, 2020), <https://www.thestate.com/news/coronavirus/article243463676.html>.

16. Attached as Exhibit 16 is a true and correct copy of the article by Nathaniel Rakich & Geoffrey Skelley, *Georgia Was a Mess. Here's What Else We Know About the June 9 Elections*, FiveThirtyEight (Jun. 10, 2020), <https://fivethirtyeight.com/features/georgia-was-a-mess-heres-what-else-we-know-about-the-june-9-elections/>.

17. Attached as Exhibit 17 is a true and correct copy of a tweet from Sarah Ellis (@ellis04), Twitter (June 9, 2020), <https://twitter.com/ellis04/status/1270446622321885186>.

18. Attached as Exhibit 18 is a true and correct copy of a tweet from Maayan Schechter (@MaayanSchechter), Twitter (June 9, 2020, 2:37 PM), <https://twitter.com/MaayanSchechter/status/1270424695037460482>.

19. Attached as Exhibit 19 is a true and correct copy of a report by USPS Office of Inspector General, *Timeliness of Ballot Mail in the Milwaukee Processing & Distribution Center Service Area*, USPS at 6 (July 7, 2020), <https://www.uspsaig.gov/sites/default/files/document-library-files/2020/20-235-R20.pdf>.

20. Attached as Exhibit 20 is a true and correct copy of an article by Jacob Bogage, *Postal Service Memos Detail 'Difficult' Changes, Including Slower Mail Delivery*, Wash. Post (July 14, 2020), <https://www.washingtonpost.com/business/2020/07/14/postal-service-trump-dejoy-delay-mail/>.

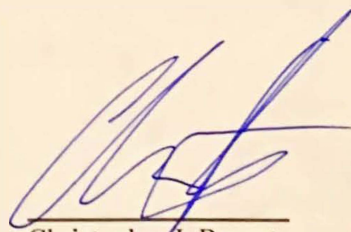
21. Attached as Exhibit 21 is a true and correct copy of an article by Ellie Rushing, *Mail Delays Are Frustrating Philly Residents, and a Short-Staffed Postal Service Is Struggling to Keep Up*, Phila. Inquirer (Aug. 2, 2020), <https://www.inquirer.com/news/philadelphia/usps-tracking-in-transit-late-mail-delivery-philadelphia-packages-postal-service-20200802.html>.

22. Attached as Exhibit 22 is a true and correct copy of the absentee ballot return envelopes of Elizabeth Milledge, Rebecca Kirby, and James S. Cotter for the June 9, 2020 primary election.

23. Attached as Exhibit 23 is a true and correct copy of an article by Heath Ellison, *SC Election Officials Sound Alarm for No-Excuse Absentee Voting and Prep for November*, Charleston City Paper (July 30, 2020), <https://www.charlestoncitypaper.com/TheBattery/archives/2020/07/30/sc-election-officials-sound-alarm-for-no-excuse-absentee-voting-and-prep-for-november>.

24. Attached as Exhibit 24 is a true and correct copy of an article by Jason Evans, *Absentee Balloting Now Open, County Officials Urge Voting by Mail*, Pickens County Courier (May 19, 2020), <https://www.yourpickenscounty.com/absentee-balloting-now-open-county-officials-urge-voting-by-mail/>.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. EXECUTED this 4th day of August, 2020 in Washington, D.C.



Christopher J. Bryant